

Jeffrey D. Hill v. New Castle County, et al.

C. A. No. 07-228 (GMS)

Plaintiff's Answering Brief In Opposition Of Defendants' Motion For Summary Judgment

APPENDIX N

**New Castle County
Employee Grievance Form**

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APR - 5 2006

CHIEF'S OFFICE**DISTRIBUTION- PART 1**

Original- 2 copies Department Director
1 copy-Union Steward

Today's Date: April 5, 2006

Refer to: *FOP/06-06***STEP 1****Instructions**

PART 1-Employee completes the original and three copies of this form. Send original and two copies to the Director of **YOUR DEPARTMENT**.

Part 2- The Director of the Department will give his decision within _____ working days after the grievance has been submitted to him. The original copy of the form is to be returned to the employee. One copy is sent to the area Steward.

EMPLOYEE'S NAME Cpl. Jeff Hill 2390	DEPARTMENT Police	SECTION OF CONTRACT INVOLVED <i>F.O.P. CONTRACT SEC 19a. DISCIPLINARY ACTION</i>
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CHECK APPLICABLE BOX

- No decision has been rendered in the grievance discussed with the Director of the Dept. on _____
- The Grievant is not satisfied with the disposition discussed with the Director of the Dept. on _____
- System-wide Grievance

DESCRIPTION OF THE GRIEVANCE AND REMEDY SOUGHT:**SEE ATTACHED**

EMPLOYEE'S SIGNATURE <i>J. Hill 2390</i>	HOME ADDRESS 51 Mailly Dr. Townsend, DE 19734
AREA STEWARD'S SIGNATURE <i>Cpl. J. Hill 2390</i>	

PART 2

DISTRIBUTION- PART 2 Original-Employee 1 copy-Union Steward	Date received by Director of Department _____ Decision of Director: _____
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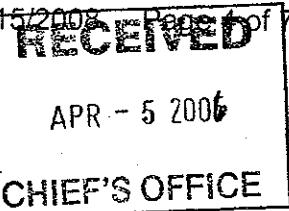
Date decision presented to Grievant:	Signature
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Grievance: Cpl. Jeff Hill, grievant, was summarily transferred from the Mounted Unit to the Patrol Division on March 20, 2006. This transfer was a direct result of having made a complaint against a superior officer, Sgt. A. Nicole Hyden. This transfer is viewed as a form of punishment for having done nothing but report a violation.

Remedy: Re-instate Cpl. Jeff Hill as a Mounted Officer and transfer him back to the Mounted Unit. Ensure that he is treated fairly by any and all supervisors.

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**New Castle County
Employee Grievance Form**

**DISTRIBUTION- PART 1**

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1 copy-Union Steward

Today's Date: April 5, 2006 _____

Refer to: FOP/06-07**STEP 1****Instructions**

PART 1-Employee completes the original and three copies of this form. Send original and two copies to the Director of **YOUR DEPARTMENT**.

Part 2- The Director of the Department will give his decision within _____ working days after the grievance has been submitted to him. The original copy of the form is to be returned to the employee. One copy is sent to the area Steward.

EMPLOYEE'S NAME Cpl. Jeff Hill 2390	DEPARTMENT Police	SECTION OF CONTRACT INVOLVED <u>F.O.P. SEC. 74 VIA DIRECTIVE</u> <u>26 SEC 2.18 Conduct TOWARD SUBORDINATE OFFICER</u>
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CHECK APPLICABLE BOX

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- The Grievant is not satisfied with the disposition discussed with the Director of the Dept. on _____
- System-wide Grievance

DESCRIPTION OF THE GRIEVANCE AND REMEDY SOUGHT:**SEE ATTACHED**EMPLOYEE'S SIGNATURE J. Hill 2390AREA STEWARD'S SIGNATURE Cpl. J. Hardle 2282

HOME ADDRESS

51 Mailly Dr.
Townsend, DE 19734**PART 2****DISTRIBUTION- PART 2**

Original-Employee
1 copy-Union Steward

Date received by Director of Department

Decision of Director:

Date decision presented to Grievant:

Signature

Grievance: Cpl. Jeff Hill, grievant, was not treated with respect by his superior officer, Sgt. A. Nicole Hyden. On several occasions he was treated in a less than civil manner.

During April 2005 Cpl. Jeff Hill was directed by Sgt. Hyden to drop off mail at HQ, specifically Capt. Setting's office. Cpl. Hill inquired as to where that office was located. Sgt. Hyden made the statement "You should know you spend enough time under the Captain's desk." Another incident occurred in October 2005 at the National Mounted Officer Competition. Cpl. Hill received a first & second place in two of the three categories in the competition. This was a great accomplishment that reflected highly upon the whole unit. Sgt. Hyden did not acknowledge the accomplishment but turned her back and walked away upon notification. To add further insult she chastised Cpl. Hill about the cleanliness of his horse during the competition. She indicated that she was considering having Cpl. Hill clean every horse in the barn. She stated that this was "strike two" and that strike three would be a transfer from the unit.

Remedy: Cpl. Hill should be treated in a fair manner by Sgt. Hyden or any other supervisor that may be in charge of the Mounted Unit. Cpl. Hill Should be reinstated as a Mounted Officer and not made to suffer the punishment of transfer for reporting a superior's mistreatment.

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**New Castle County
Employee Grievance Form**

CHIEF'S OFFICE**DISTRIBUTION- PART 1**

Original- 2 copies Department Director
1 copy-Union Steward

Today's Date: April 5, 2006 _____

Refer to: FOP/06-08**STEP 1****Instructions**

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Part 2- The Director of the Department will give his decision within _____ working days after the grievance has been submitted to him. The original copy of the form is to be returned to the employee. One copy is sent to the area Steward.

EMPLOYEE'S NAME Cpl. Jeff Hill 2390	DEPARTMENT Police	SECTION OF CONTRACT INVOLVED F.O.P. SEC 74 VIA HOUR SYSTEM Rule 26.03.802 - EVALUATION
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- System-wide Grievance

DESCRIPTION OF THE GRIEVANCE AND REMEDY SOUGHT:**SEE ATTACHED**

EMPLOYEE'S SIGNATURE <i>J. Hill 2390</i>	HOME ADDRESS 51 Mailly Dr. Townsend, DE 19734
AREA STEWARD'S SIGNATURE <i>Cpl. J. Hill 2390</i>	

PART 2**DISTRIBUTION- PART 2**

Original-Employee
1 copy-Union Steward

Date received by Director of Department

Decision of Director:

Date decision presented to Grievant:	Signature
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Grievance: Cpl. Jeff Hill, grievant, has not received a performance evaluation due to him as of September 2005. Merit System Rule Sec. 26.03.802 Period of evaluation reads "all employees except temporary workers shall be evaluated annually four (4) months prior to their anniversary date."

Remedy: Provide Cpl. Hill with a performance evaluation immediately and comply with Merit System standards.